

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Entravision Holdings, LLC)	File No.: EB-04-TP-161
)	
Licensee of Station WVEA-LP)	NAL/Acct. No.: 200532700004
Tampa, Florida)	
Facility ID # 3602)	FRN: 0001529627

FORFEITURE ORDER

Adopted: February 2, 2007**Released:** February 6, 2007

By the Regional Director, South Central Region, Enforcement Bureau:

I. INTRODUCTION

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of twenty-five thousand dollars (\$25,000) to Entravision Holdings, LLC (“Entravision”), licensee of station WVEA-LP, 662-668 MHz, in Tampa, Florida, for willful and repeated violation of Section 1.1310 of the Commission’s Rules (“Rules”)¹ by failing to comply with radio frequency radiation (“RFR”) maximum permissible exposure (“MPE”) limits applicable to facilities, operations, or transmitters. On January 5, 2005, the Enforcement Bureau’s Tampa Office issued a *Notice of Apparent Liability for Forfeiture* to Entravision in the amount of twenty-five thousand dollars (\$25,000) for the apparent willful and repeated violation of Section 1.1310 of the Rules.² In this *Order*, we consider Entravision’s arguments concerning the appropriate MPE limit that should be applied; that its alleged violation was neither willful nor repeated; and that it complied with requests made by Tampa Office agents during and after the inspections conducted by that office.

II. BACKGROUND

2. The RFR MPE limits, which are set forth in Section 1.1310 of the Rules, include limits for “occupational/controlled” exposure and limits for “general population/uncontrolled” exposure.³ The occupational exposure limits apply in situations in which persons are exposed as a consequence of their

¹ 47 C.F.R. § 1.1310.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200532700004 (Enf. Bur., Tampa Office, January 5, 2005) (“*NAL*”). A Notice of Apparent Liability for Forfeiture in the amount of \$20,000 for violation of the RFR Rules was issued to Infinity Broadcasting Corporation of Florida, licensee of station WQYK-FM, on January 5, 2005. See *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200532700005 (Enf. Bur., Tampa Office, January 5, 2005).

³ 47 C.F.R. § 1.1310.

employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure.⁴ The limits of occupational exposure also apply in situations where an individual is transient through a location where the occupational limits apply, provided that he or she is made aware of the potential for exposure.⁵ The more stringent general population or public exposure limits apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.⁶ Licensees can demonstrate compliance by restricting public access to areas where RFR exceeds the public MPE limits.⁷

3. Entravision certified WVEA-LP was in compliance with the RFR MPE limits in its application for a minor change to its licensed facility at the Park Tower Office Building ("Park Tower") located at 400 North Tampa Street, Tampa, Florida ("WVEA-LP 2004 Modification Application").⁸ An exhibit to the application stated that access to the transmitting site would be restricted and properly marked with warning signs. In addition, the exhibit stated that an agreement among the licensees at Park Tower containing appropriate measures to assure worker safety would be in effect in the event that workers or authorized personnel enter the restricted area.⁹

4. On May 25, 2004, Tampa Office agents, in response to a complaint, inspected the Park Tower rooftop. Access to the main rooftop was restricted to individuals with special keycards. Signs on the rooftop access doors stated that areas on the rooftop exceed the Commission's public RFR limits. However, the signs did not indicate which areas on the rooftop exceeded the public or general population RFR limits. The agents continued to the penthouse rooftop, which was restricted by an additional lock controlled by the front desk and accessed without passing by the warning signs on the main rooftop access doors. There were no RFR warning signs found on the penthouse rooftop, penthouse rooftop access door to the stairwell, inside the stairwell, or on the hatch itself. While surveying the penthouse rooftop, a Tampa agent, using a calibrated RFR meter, found that approximately 75% of the penthouse rooftop exceeded the general population/uncontrolled RFR MPE limit. The agent also found an unmarked and un-posted area within an 8-10 foot radius of a tower containing a UHF TV antenna, later identified as belonging to station WVEA-LP, exceeding the occupational/controlled RFR MPE limit and which also greatly exceeded the general population/uncontrolled RFR MPE limit. Park Tower's chief engineer, who accompanied the agents on this inspection, stated he and his personnel were not aware of areas exceeding the general population and occupational limits on the penthouse rooftop pointed out to him by the agent. The building's chief engineer stated that he and his personnel access this rooftop on a fairly regular basis to inspect it for maintenance and to conduct roofing repairs. He also stated that neither he nor any of his

⁴ 47 C.F.R. § 1.1310, Note 1 to Table 1.

⁵ *Id.*

⁶ 47 C.F.R. § 1.1310, Note 2 to Table 1.

⁷ See, for example, Office of Engineering and Technology, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields* (1997) ("OET Bulletin 65").

⁸ File No. BPTTL-2003008ABP, granted January 20, 2004.

⁹ Specifically, the exhibit stated that "[s]uch measures will include reducing the average exposure by spreading out the work over a longer period of time, wearing 'accepted' RFR protective clothing and/or RFR exposure monitors or scheduling work when the stations are at reduced power or shut down." WVEA-LP 2004 Modification Application, RFR Exhibit at 4.

maintenance crew or subcontractors had received any training with respect to RFR hazards.

5. On June 18, 2004, a Tampa Office agent returned to the penthouse rooftop of Park Tower, gathered more information, and made additional measurements. The agent found power density levels in excess of the RFR MPE general population and occupational limits, similar to those detected on May 25, 2004. There were no RFR warning signs posted in the stairwell that accessed the penthouse rooftop or on the penthouse rooftop itself.

6. On July 1, 2004, the WVEA-LP station engineer accompanied Tampa agents on their inspection of the penthouse rooftop. Before conducting any testing, the station engineer stated he knew that areas near his antenna exceeded the occupational limits and that the area should have been posted with warning signs to alert those accessing the roof of the hazard. The Tampa agents then conducted on-air and off-air measurements to determine the level of WVEA-LP's contribution. With WVEA-LP on the air, the un-posted, unmarked area near the WVEA-LP antenna exceeded the occupational/controlled RFR MPE limit and also greatly exceeded the general population/uncontrolled RFR MPE limit, consistent with the agents' May 25, 2004 measurements. When WVEA-LP was taken off the air, the agents' measurements revealed that WVEA-LP was responsible for the majority of both the general public/uncontrolled RFR MPE limit and the occupational/controlled RFR MPE limit. The agents warned the station engineer of this RFR violation. The agent informed the WVEA-LP engineer that to comply with the RFR requirements the station should post warning signs in the stairwell entrance and the rooftop to identify the areas exceeding the RFR limits, especially those exceeding the occupational limit. The agent also suggested that the station work with the building's chief engineer to restrict access to the specific area exceeding the occupational limits and only allow those having RFR training to access the area. Finally, the agent suggested that, in addition to the required RFR training, the station could offer building workers, who access the rooftop, individual RFR warning devices.

7. On July 16, 2004, Tampa agents conducted another inspection of the penthouse rooftop. Entravision placed a small, framed caution sign in the stairwell to the penthouse roof hatch that listed contact information for the station engineer. Entravision marked with yellow paint the penthouse rooftop area exceeding the occupational/controlled RFR MPE limit, but did not place warning signs on the penthouse rooftop itself. Agents conducted measurements similar to those conducted on July 1 with the four licensees located at the site.¹⁰ With all four stations on the air, the area near the WVEA-LP antenna exceeded the occupational/controlled RFR MPE limit and also greatly exceeded the general population/uncontrolled RFR MPE limit, consistent with the agents' May 25, 2004, and July 1, 2004, measurements. After station WVEA-LP was taken off the air, the agents determined that WVEA-LP was responsible for the majority of RFR which exceeded both the general public/uncontrolled RFR MPE limit and the occupational/controlled RFR MPE limit. The station engineer for WVEA-LP was warned by the Tampa agents that the sign posted in the stairwell was inadequate due to its size and its poor visibility in the darkened stairwell. The agents again explained to the station engineer the RFR requirements.

8. On July 20, 2004, a Tampa agent contacted the WVEA-LP station engineer to discuss the July 16th inspection. The station engineer stated he had not yet posted a sign on the rooftop or spoken with the building's chief engineer. The agent reminded the station engineer of the station's responsibility to comply with the Commission's RFR requirements.

¹⁰ Another station's transmitter was found to produce power density levels that exceeded 5% of the power density exposure limit applicable to its particular transmitter. This station is also responsible for ensuring the penthouse rooftop's compliance with the RFR limits. See 47 C.F.R. § 1.1307(b)(3).

9. On August 17, 2004, an agent re-inspected the penthouse rooftop of Park Tower. There was no sign posted on the penthouse rooftop as requested on July 1, 16, and 20 or on the tower itself as requested on July 16, and 20. The building's chief engineer stated the WVEA-LP engineer spoke to him regarding the yellow lines painted on the roof, but had not discussed any policy to limit rooftop access only to those with RFR training.

10. On September 30, 2004, agents re-inspected the penthouse rooftop. The agents found power density levels in excess of the RFR MPE general population and occupational limits, similar to those previously detected. Entravision had placed a sign on its tower that cautioned workers that the yellow striped area exceeded safe occupational levels. The sign, however, did not list any station contact information to enable workers to inquire as to the level of the RFR on the penthouse rooftop.¹¹

11. On October 26, 2004, the building's chief engineer stated that Entravision had not yet contacted him to restrict access to the penthouse rooftop to only workers who had received RFR training. On November 5, 2004, the building's chief engineer contacted the Tampa office and stated that station WVEA-LP told him that the transmitter power had been reduced and the penthouse rooftop was now well below the occupational limits. Agents made measurements the same day and confirmed there were no areas on the penthouse rooftop that exceeded the occupational/controlled RFR MPE limit. There were areas, however, that were still well above the general population/uncontrolled limits.

12. On January 5, 2005, the Tampa Office issued a *NAL* to Entravision in the amount of \$25,000 for the apparent willful and repeated violation of Section 1.1310 of the Rules. Entravision filed a response to the *NAL* on February 24, 2005,¹² requesting that the forfeiture be cancelled or reduced. In its response, Entravision does not dispute the RFR measurements discussed in the *NAL*, nor does Entravision dispute that it was responsible for a majority contribution of the RFR MPE limits on the Park Tower penthouse rooftop. Instead, Entravision argues that the RFR present on the penthouse roof should be treated under the occupational/controlled MPE limits for RFR, not the general population limits. Entravision also argues that the alleged violation was neither willful nor repeated, and that it made good faith efforts to comply with the requests made by Tampa Office agents during and after the inspections conducted by that office.

III. DISCUSSION

13. The proposed forfeiture amount in this case was assessed in accordance with Section 503(b) of the Act,¹³ Section 1.80 of the Rules,¹⁴ and *The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, 12 FCC Rcd 17087 (1997), recon. denied, 15 FCC Rcd 303 (1999) ("*Forfeiture Policy Statement*"). In examining Entravision's response, Section 503(b) of the Act requires that the Commission take into account the nature, circumstances, extent and gravity of the violation and, with respect to the violator, the degree of

¹¹ Such information allows workers who are fully aware of the potential for their exposure to make informed decisions and exercise control over their exposures. See 47 C.F.R. § 1.1310, Note 1 to Table 1. See also *OET Bulletin 65* at 55 – 59.

¹² Entravision requested an extension to submit its response to the *NAL*, which was granted by the Bureau.

¹³ 47 U.S.C. § 503(b).

¹⁴ 47 C.F.R. § 1.80.

culpability, any history of prior offenses, ability to pay, and other such matters as justice may require.¹⁵

14. Section 1.1310 of the Rules requires licensees to comply with occupational and general population MPE limits for electric and magnetic field strength and power density for transmitters operating at frequencies from 300 kHz to 100 GHz.¹⁶ The MPE limits specified in Table 1 of Section 1.1310 are used to evaluate the environmental impact of human exposure to RFR and apply to "...all facilities, operations and transmitters regulated by the Commission."¹⁷ Section 1.1307(b)(3) of the Rules states that "when the guidelines specified in § 1.1310 are exceeded in an accessible area due to the emissions from multiple fixed transmitters, actions necessary to bring the area into compliance are the shared responsibility of all licensees whose transmitters produce, at the area in question, power density levels that exceed 5% of the power density exposure limit applicable to their particular transmitter..."¹⁸ Licensees bear the responsibility to restrict access to areas that exceed the RFR MPE limits or to modify the facility and operation so as to bring the station's operation into compliance with the RFR exposure limits prior to worker or public access to the impacted area.¹⁹

15. Entravision argues that the penthouse rooftop should be treated under the occupational/controlled MPE limits, as opposed to the general population/non-controlled MPE limits, because access to the penthouse rooftop was controlled and "was in no way accessible to any member of the general public." Entravision also argues that, as the *NAL* notes, there was signage at the entrance to the main rooftop that RF fields may exceed FCC rules for human exposure.²⁰ Entravision also asserts that building management for Park Tower was aware that RFR was present on the roof as a result of discussions that Entravision had with the building management during its lease negotiations. According to Entravision, the combination of this controlled access, along with the signage at the entrance to the main roof, and its discussion with the building management concerning "RFR on the rooftop," requires that we apply only the occupational/controlled MPE RFR limits to the penthouse roof. We disagree.

16. The appropriate RFR MPE limit to be applied in an area depends on who is being exposed to the RFR.²¹ In situations where persons are exposed as a consequence of their employment, provided those persons are fully aware of the potential for exposure and can exercise control over their exposure, the occupational/controlled MPE limits apply.²² In situations where the general public may be exposed, or where persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure, the general population/uncontrolled

¹⁵ 47 U.S.C. § 503(b)(2)(D).

¹⁶ See 47 C.F.R. § 1.1310, Table 1.

¹⁷ See 47 C.F.R. §§ 1.1307(b), 1.1307(b)(1), 1.1310.

¹⁸ 47 C.F.R. § 1.1307(b)(3).

¹⁹ 47 C.F.R. §§ 1.1307(b)(1), 1.1307(b)(5), 1.1310. Additional guidance is provided *OET Bulletin 65*.

²⁰ *NAL* at para. 3.

²¹ See, e.g., *OET Bulletin 65* at 1 – 10.

²² The limits of occupational exposure also apply in situations where an individual is transient through a location where the occupational limits apply, provided that he or she is made aware of the potential for exposure. 47 C.F.R. § 1.1310, Note 1 to Table 1.

MPE limits apply.²³ The penthouse roof may not have been accessible by the general public, but it was accessible by workers and employees of Park Tower, a fact that Entravision does not dispute. Because persons who are exposed as a result of their employment can potentially come under either RFR MPE limit, we must now determine if the workers and employees with access to the penthouse roof were fully aware of their potential for exposure and could exercise control over it.

17. Entravision provides no evidence beyond the existence of RFR warning signs, placed at the entrance of the main roof and not the penthouse roof, that there was any signage that warned of the high RFR levels on the penthouse rooftop.²⁴ While the signs in question warned that areas on the roof exceeded the Commission's public RFR levels, they did not say where those areas were, specifically, it did not say those areas existed on the distinct and separate penthouse rooftop. The signs also did not warn of any areas, on either rooftop, which exceeded the occupational/controlled RFR MPE limits. Consequently, we cannot conclude that the existence of these signs, on their own, made the workers and employees accessing the penthouse roof fully aware of their potential for exposure and allowed them to exercise control over that exposure.²⁵

18. Entravision appears to contend that these workers and employees should be considered fully aware of their potential for exposure because the Park Tower building management was aware of "RFR on the rooftop." Entravision also argues that the RFR Rules do not require it to give RFR training to individuals who are not their employees, and that because the definition of the term "fully aware" is the subject of a current rulemaking, there is no policy it is obligated to follow concerning educating building employees.²⁶ Entravision misinterprets its obligations as a Commission licensee. As indicated above, Section 1.1307(b)(3) of the Rules states that "when the guidelines specified in § 1.1310 are exceeded in an accessible area due to the emissions from multiple fixed transmitters, actions necessary to bring the area into compliance are the shared responsibility of all licensees whose transmitters produce, at the area in question, power density levels that exceed 5% of the power density exposure limit applicable to their particular transmitter..."²⁷ Entravision operates WVEA-LP's transmitter on a multi-user site, and is obligated pursuant to Section 1.1307(b)(3) of the Rules to bring the area into compliance with the Commission's RFR rules. The Commission expects "[o]wners of transmitter sites . . . to allow applicants

²³ 47 C.F.R. § 1.1310, Note 2 to Table 1.

²⁴ Following release of the *NAL*, we received information from Infinity that there is also a warning sign on the door to the penthouse rooftop entry area. However, according to the building's chief engineer, this door leading to the penthouse rooftop upon which this sign was posted was typically propped open. With the door propped open, the warning sign faces the wall and is not visible. On each of the six occasions the agents inspected the site, the door was propped open and the agents did not see any sign. We note that Entravision did not reference any mention of this sign in their response to the *NAL*.

²⁵ See *Americom Las Vegas Limited Partnership*, Memorandum Opinion and Order, FCC 06-174, 2006 WL 3472472 (rel. December 1, 2006) (Commission found that the burden is on the licensee to ensure that RFR warning signs are visible to the affected population).

²⁶ We note that Entravision's argument that it is not required to provide RFR information training to building employees appears to indicate that it has no knowledge as to whether the building employees who access the penthouse rooftop have the needed information and training to allow them to be fully aware of their potential for exposure and exercise control over it.

²⁷ 47 C.F.R. § 1.1307(b)(3).

and licensees to take reasonable steps to comply with [these] requirements”²⁸ However, the Commission has concluded that “responsibilities pertaining to RF electromagnetic fields properly belong[] with our licensees and applicants, rather than with site owners.”²⁹ In other words, Entravision, along with one other licensee at the Park Tower site,³⁰ was obligated to bring the areas of the rooftops into compliance with the Commission’s Rules. For the occupational/controlled MPE limits to be considered the applicable MPE limits on the penthouse rooftop, Entravision must ensure that the workers and employees accessing the penthouse rooftop were fully aware of their potential for exposure and allowed them to exercise control over that exposure. Other than the existence of the signs leading to the main rooftop, and a conversation with Park tower building management about “RFR on the roof,” Entravision has failed to produce any evidence that it ensured that affected workers and employees had awareness of the high RFR fields on the penthouse rooftop, let alone that the affected workers and employees were “fully aware” and trained on how to control their exposure. As a licensee contributing more than 5% of its transmitter’s RFR exposure limit, Entravision, and not the Park Tower building management, is obligated under the Commission’s Rules to ensure such awareness and control for the affected workers and employees. Because Entravision failed to do so, the general population/uncontrolled MPE limits must be applied.

19. Entravision also argues that its violations of Section 1.1310 of the Rules were neither willful nor repeated. Specifically, Entravision argues that it did not act consciously, deliberately or repeatedly in failing to post warning signs or neglecting to restrict accessibility to the areas which exceeded the RFR MPE limits. We disagree. As part of its argument concerning the appropriate RFR MPE limit to apply to the penthouse rooftop, Entravision acknowledges that it discussed “RFR on the rooftop” with the Park Tower building management and that it was aware that another licensee gave “specific advice to the building management concerning RFR issues on the rooftop.” Despite this knowledge, and its obligations to ensure compliance with the RFR rules at the rooftop sites, as described above, Entravision provides no evidence, beyond a conversation during its lease negotiations with Park Tower, that it made any effort to ensure that the areas on the rooftops were in compliance with Section 1.1310 of the Rules. This appears to contravene Entravision’s assurance to the Commission in the WVEA-LP 2004 Modification Application that an agreement among the licensees at Park Tower containing appropriate measures to assure worker safety would be in effect in the event that workers or authorized personnel enter the restricted area and that the site would be properly marked with warning signs.³¹ Consequently, we find that Entravision did willfully violate Section 1.1310. The violation occurred on more than one day, as evidenced by the undisputed measurements made on multiple days by the Tampa agents, therefore, we find that the violation was repeated.

20. Entravision also states that even if we assume that it did fail to comply with Section 1.1310 of the Rules, there is no basis for an increase in the base forfeiture of \$10,000 given Entravision’s good faith efforts to comply with the Tampa agents’ requests once the violations were brought to Entravision’s attention. Specifically, Entravision asserts that it posted a warning sign in the penthouse

²⁸ 47 C.F.R. § 1.1307(b)(3).

²⁹ *RF Second Memorandum Opinion and Order*, 12 FCC Rcd at 13522 (1997).

³⁰ Infinity Broadcasting Corporation of Florida, licensee of WQYK-FM, is the other licensee at the Park Tower site whose transmitter produced power density levels that exceeded 5% of the power density exposure limit applicable to its transmitter. See n. 1, *supra*.

³¹ WVEA-LP 2004 Modification Application, RFR Exhibit at 4.

entry stairwell on the same day it was told to do so by an agent, July 1, 2004. Entravision claims to have informed the building's chief engineer of the RFR occupational violation by July 2, 2004. Entravision also alleges that its station engineer, on his own initiative, marked off the area exceeding the occupational limit with yellow paint. Entravision claims that it believed no other remedial actions beyond the steps it claimed to have taken on July 1 and 2, 2004, were required until July 16, 2004, when the agent informed the station engineer that the posted sign was not visible and that an additional sign should be placed on the tower itself.

Entravision disputes that the posted sign was obscured and states that it did post an additional sign on its tower as requested. Finally, Entravision reiterates that it voluntarily reduced its power in October 2004. Because all of Entravision's efforts took place after, and because of, inspections by the Tampa agents, we find that Entravision has produced no evidence to support a good faith reduction in the forfeiture amount.³²

Moreover, Entravision's remedial actions to correct promptly violations after they have been identified by an agent are expected and do not warrant a reduction or cancellation in the forfeiture amount.³³

21. We believe the \$25,000 forfeiture amount proposed by the Tampa Office is appropriate. Entravision failed to appropriately erect warning signs on, and restrict access to, an area on the penthouse rooftop which exceeded the general population/uncontrolled RFR MPE limit. In addition, Entravision acknowledges that an area on the Penthouse roof exceeded the much higher occupational/controlled RFR MPE limits, but made no efforts to ensure that even workers and employees who had RFR expertise had enough information, by means of warning signs and contact information, to exercise control over their exposure.³⁴ Of particular concern is the fact that this condition began after the modifications approved in the WVEA-LP 2004 Modification Application, which was granted on January 20, 2004, were put into place. Despite Entravision's assurances to the Commission in that application, that the transmitting site would be "appropriately marked with warning signs,"³⁵ and that it would limit workers' exposure to RFR by various methods, Entravision was apparently not even aware of the RFR issues on the penthouse rooftop until it was contacted by a Tampa agent to arrange the July 1, 2004, inspection. We find the combination of these violations, along with Entravision's studied ignorance of its own statements and obligations, to be particularly egregious.

22. We have examined Entravision's response to the *NAL* pursuant to the statutory factors above, and in conjunction with the *Forfeiture Policy Statement*. As a result of our review, we find no basis for cancellation or reduction of the \$25,000 forfeiture proposed for this violation.

IV. ORDERING CLAUSES

23. Accordingly, **IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended, and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules, Entravision Holdings, LLC **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of twenty-five thousand dollars (\$25,000) for willfully and repeatedly violating Section 1.1310 of the Rules.

24. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the

³² *Radio X Broadcasting Corporation* Memorandum Opinion and Order, FCC 06-151, 2006 WL 2986546 (rel. October 17, 2006) (a forfeiture reduction for good faith efforts is not warranted where the subject does not take concrete steps to remedy a violation until after a field inspection).

³³ See *AT&T Wireless Services, Inc.*, 17 FCC Rcd 21866 (2002).

³⁴ See *OET Bulletin* 65 at 56.

³⁵ WVEA-LP 2004 Modification Application, RFR Exhibit at 4.

Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.³⁶

Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Acct. No. and FRN No. referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 358340, Pittsburgh, PA 15251-8340. Payment by overnight mail may be sent to Mellon Bank /LB 358340, 500 Ross Street, Room 1540670, Pittsburgh, PA 15251. Payment by wire transfer may be made to ABA Number 043000261, receiving bank Mellon Bank, and account number 911- 6106. Requests for full payment under an installment plan should be sent to: Associate Managing Director – Financial Operations, Room 1A625, 445 12th Street, S.W., Washington, D.C. 20554.³⁷

25. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class and Certified Mail Return Receipt Requested to Entravision Holdings, LLC at its record of address and to its counsel, Barry A. Friedman, Thompson Hine LLP, 1920 N Street NW, Washington, DC 20036.

FEDERAL COMMUNICATIONS COMMISSION

Dennis P. Carlton
Regional Director
South Central Region
Enforcement Bureau

³⁶ 47 U.S.C. § 504(a).

³⁷ See 47 C.F.R. § 1.1914.